

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.46398 of 2016**

Arising Out of PS.Case No. -21 Year- 2016 Thana -KHAGARIA GRP CASE District- KHAGARIA

Santosh Kumar, son of Ranjit Kumar Sharma @ Avinash Sharma, r/o. vill. Sirsa, P.S. K Nagar, Dist. Purnea, at present r/o. vill Alma, P.S.Bayasi, Dist. Purnea.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Binod Kumar

For the Opposite Party/s : Mr. Sri Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN**

ORAL ORDER

2      22-10-2016                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody since 30.08.2016 in connection with Naugachhiya Rail P.S. Case No. 21 of 2016 for the alleged offences under Sections 379 and 511 of the Indian Penal Code

3. It is submitted that the petitioner has been falsely implicated merely on suspicion based on the extra judicial confessional statement of co-accused Amit Kumar Yadav. The motor cycle in question was recovered from the spot itself and not from the possession of the petitioner. The petitioner claims clean antecedents.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be

released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Railway Judicial Magistrate, Khagaria in connection with Naugachhiya Rail P.S. Case No. 21 of 2016 on the following conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

**(Vikash Jain, J)**

Chandran/BT

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